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Federal Agencies

December 28, 2004

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

*Mail Stop: Amendment*

Re: U.S. Utility Patent Application  
Appl. No.: 10/779,823; Filed: February 18, 2004  
For: **Lithographic Apparatus and Device Manufacturing Method**  
Inventors: Cheng-Qun GUI *et al.*  
Our Ref: 1857.2610000

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;
2. A listing of the cited documents on Form PTO-1449 (*2 pages*);
3. Copy of cited document AK1. Copies of the cited U.S. patents and patent application publications are not provided in accordance with 37 C.F.R. § 1.98(a)(2); and
4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
December 28, 2004  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Theodore A. Wood  
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DJF/TAW:ddc  
Enclosures

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Cheng-Qun GUI *et al.*

Appl. No.: 10/779, 823

Filed: February 18, 2004

Confirmation No.: 6816

Art Unit: 2851

Examiner: Rutledge, Della J.

Atty. Docket: 1857.2610000

For: **Lithographic Apparatus and  
Device Manufacturing Method**

**Information Disclosure Statement**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.
- 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
  - a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p).

4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.

6. A concise explanation of the relevance of the non-English language document(s) appears below in accordance with 37 C.F.R. § 1.98(a)(3).

7. A copy of document AK1 is enclosed. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of the U.S. patents and patent application publications cited on the attached Form PTO-1449 are not enclosed.

8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Theodore A. Wood  
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FORM PTO-1449 <b>INFORMATION DISCLOSURE STATEMENT</b>		ATTY. DOCKET NO. 1857.2610000	APPLICATION NO. 10/779,823
		FIRST NAMED INVENTOR Cheng-Qun GUI	
		FILING DATE February 18, 2004	ART UNIT 2851

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	5,500,736	03/1996	Koitabashi <i>et al.</i>			
	AB1	5,523,193	06/1996	Nelson			
	AC1	5,530,482	06/1996	Gove <i>et al.</i>			
	AD1	5,579,147	11/1996	Mori <i>et al.</i>			
	AE1	5,677,703	10/1997	Bhuva <i>et al.</i>			
	AF1	5,808,797	09/1998	Bloom <i>et al.</i>			
	AG1	5,982,553	11/1999	Bloom <i>et al.</i>			
	AH1	6,133,986	10/2000	Johnson			
	AI1	6,177,980 B1	01/2001	Johnson			
	AJ1	6,687,041 B1	02/2004	Sandstrom			

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AK1	EP 1 482 375 A2	12/2004	EP			N/A
	AL						Yes No
	AM						Yes No

**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

	AN		
	AO		
	AP		
	AQ		
	AR		

EXAMINER

DATE CONSIDERED

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



FORM PTO-1449

INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.  
1857.2610000APPLICATION NO.  
10/779,823FIRST NAMED INVENTOR  
Cheng-Qun GUIFILING DATE  
February 18, 2004ART UNIT  
2851**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	6,747,783 B1	06/2004	Sandstrom			
	AB2	6,795,169 B2	09/2004	Tanaka <i>et al.</i>			
	AC2	6,806,897 B2	10/2004	Kataoka <i>et al.</i>			
	AD2	6,811,953 B2	11/2004	Hatada <i>et al.</i>			
	AE2	2004/0041104 A1	03/2004	Liebregts <i>et al.</i>			
	AF2	2004/0130561 A1	07/2004	Jain			
	AG						
	AH						
	AI						
	AJ						

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AK						Yes No
	AL						Yes No
	AM						Yes No

**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

	AN		
	AO		
	AP		
	AQ		
	AR		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.